



UNITED STATES PATENT AND TRADEMARK OFFICE

FL
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/879,613 | 06/12/2001 | John Skoufis | 33121.2130 | 5295 |

7590 02/20/2003

KRAMER LEVIN NAFTALIS & FRANKEL LLP
919 Third Avenue
New York, NY 10022

EXAMINER

MOHANDESI, JILA M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 3728 | |

DATE MAILED: 02/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) |
|------------------------------|------------------------|---------------------|
| | 09/879,613 | SKOUFIS, JOHN |
| Examiner | Art Unit | |
| Jila M Mohandes | 3728 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 June 2001 .

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-14 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 07 January 2002 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
4) Interview Summary (PTO-413) Paper No(s). ____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 4, 8 , 10 and 12, the phrase "said amount" is incomplete, vague and indefinite. Said amount of what?

In claims 3 and 11, the phrase "said quantity" is incomplete, vague and indefinite. Said quantity of what?

In claim 9, the phrase "said de-ionized water said water" is inaccurate rendering the claim indefinite.

Claim 5 recites the limitation "said sponge" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "said container" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Paley et al. (5,814,159). Paley '159 discloses a cleaning article (wipers 14) in a flexible plastic bag (12). See Figures 1-9 embodiments.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 9-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paley '159. Paley '159 discloses a packaged cleaning article for use in clean rooms, said cleaning articles (clean room wipers 14) having particulate, metal ion and anionic counts at or below the values specified for clean room (column 1, lines 36-40 and lines 56-61), said package comprising a sealed container (polyethylene flexible plastic bag 12), said cleaning article being positioned in said container, and a quantity of de-ionized water with bactericide (column 10, lines 7-12) or Hydrogen peroxide plus water (column 10, lines 32-33) in an amount to kill and retard the growth of bacteria in said sponge but less than an amount to develop significant quantities of metallic ions, in said container. See Figures 1-9 embodiments.

With respect to claim10, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the amount of hydrogen peroxide about 0.05 to 1%, since it has been held that where the general conditions of a claim are

disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

With respect to claim 11, see column 9, lines 33-36.

7. Claims 1-8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paley '159 in view of Hymes et al. (5,858,109). Paley '159 also discloses a method of packaging a cleaning article for use in scrubbing semiconductor wafers, said method comprising: placing a cleaning article in a container (polyethylene flexible bag 12), placing in said container a quantity of de-ionized water with bactericide (column 10, lines 7-12) or Hydrogen peroxide plus water (column 10, lines 32-33) and sealing said container. Paley '159 does not disclose the amount of hydrogen peroxide and for the cleaning article to be a PVA sponge. Hymes '109 discloses using a PVA sponge brush and cleaning solution (hydrogen peroxide and water) for more effective cleaning of semiconductor wafers. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a PVA sponge brush as the cleaning article in the container of Paley '159 as taught by Hymes '109 for more effective cleaning of the semiconductor wafers.

With respect to claim 3, see column 9, lines 33-36.

With respect to claims 1, 4, 8 and 12, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the amount of hydrogen peroxide about 0.05 to 1%, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shown are methods of packaging cleaning articles in containers, analogous to applicant's instant invention.

9. Telephone inquiries regarding the status of application or other general questions, by persons entitled to the information "should be directed to the group clerical personnel and not to the Examiners. In as much as the official records and applications are located in the clerical section of the examining groups, the clerical personnel can readily provide status information without contacting the examiners", M.P.E.P. 203.08. The Group clerical receptionist number is (703) 308-1148 or the Tech Center 3700 Customer Service Center number is (703) 306-5648. For applicant's convenience, the Group Technological Center FAX number is (703) 872-9302. (Note that the Examiner cannot confirm receipt of faxes) Please identify Examiner Mohandes of Art Unit 3728 at the top of your cover sheet of any correspondence submitted. Inquiries only concerning the merits of the examination should be directed to Jila Mohandes whose telephone number is (703) 305-7015. The examiner can normally be reached on Monday-Friday 7:30-4:00 (EST).

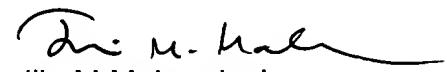
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (703) 308-2672.

If in receiving this Office Action it is apparent to applicant that certain documents are missing, e.g. copies of references cited, form PTO-1449, for PTO-892, etc. requests for copies of such papers should be directed to Donna Monroe at (703) 308-2209.

Application/Control Number: 09/879,613
Art Unit: 3728

Page 6

Check out our web-site at "www.uspto.gov" for fees and other useful information.


Jila M Mohandesi
Examiner
Art Unit 3728
J. Mohandesi
Patent Examiner

JMM
February 12, 2003